

COMMONWEALTH OF MASSACHUSETTS

BERKSHIRE, ss.

U.S. DISTRICT COURT  
SUPERIOR COURT  
CIVIL ACTION NO. 04-364

BERKSHIRE HEALTHCARE SYSTEMS, )  
INC., )  
Plaintiff, )  
vs. )  
ROYAL & SUN ALLIANCE, )  
Defendant. )

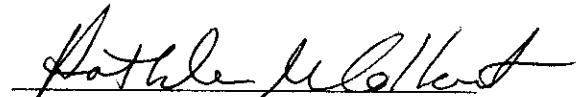
CA 05-30031-KPN

**NOTICE OF FILING OF NOTICE OF REMOVAL  
TO THE UNITED STATES DISTRICT COURT**

Please take notice that on or about January 28, 2005, Defendant, Royal & Sun Alliance incorrectly named herein the correct defendant being Security Insurance Company of Hartford, ("Defendant") removed the above-captioned matter to the United States District Court for the District of Massachusetts pursuant to Section 1331, Section 1441 and Section 1446 of Title 28 of the United States Code. A certified copy of the Notice of Removal to the federal court shall be filed with this court in accordance with Section 1446(d) of Title 28 of the United States Code as soon as same is received.

Defendant,

Respectfully submitted,



George C. Rockas, BBO#544009  
Kathleen M. Colbert, BBO#561174  
WILSON, ELSER, MOSKOWITZ,  
EDELMAN & DICKER LLP  
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**CERTIFICATE OF SERVICE**

I, Kathleen M. Colbert, hereby certify that on this 28<sup>th</sup> day of January, 2005, I served a copy of the foregoing document by first class, postage prepaid mail upon the following counsel of record:

Lucy Prashker BBO# 405580  
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Kathleen M. Colbert